

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO PROVIDE FOR THE USE OF PASSENGER FACILITY  
CHARGE REVENUES TO FUND THE OPTIONAL REDEMPTION OF THE  
SERIES 2004K-1 AND SERIES 2004K-2 BONDS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (the "City") has heretofore issued multiple series of its revenue bonds and commercial paper notes to finance and refinance costs of its Hartsfield-Jackson Atlanta International Airport (the "Airport") pursuant to a Restated and Amended Master Bond Ordinance adopted on March 20, 2000 (Ordinance No. 99-O-1896) (the "Master Ordinance"), as supplemented and amended by a First Supplemental Bond Ordinance adopted on March 30, 2000 (Ordinance No. 00-O-0214), a Second Supplemental Bond Ordinance adopted on October 7, 2002 (Ordinance No. 02-O-1463), an Amended and Restated Third Supplemental Bond Ordinance adopted on May 19, 2003 (Ordinance No. 03-O-0772), a Fourth Supplemental Bond Ordinance adopted on June 2, 2003 (Ordinance No. 03-O-0835), a Fifth Supplemental Bond Ordinance adopted on September 15, 2003 (Ordinance No. 03-O-1448), a Sixth Supplemental Bond Ordinance adopted on November 17, 2003 (Ordinance No. 03-O-1871), a Seventh Supplemental Bond Ordinance adopted on April 19, 2004 (Ordinance No. 04-O-0431), an Eighth Supplemental Bond Ordinance adopted on October 18, 2004 (Ordinance No. 04-O-1811) (the "Eighth Supplemental Bond Ordinance"), a Ninth Supplemental Bond Ordinance adopted on October 3, 2005 (Ordinance No. 05-O-1717), a Tenth Supplemental Bond Ordinance adopted on April 17, 2006 (Ordinance No. 06-O-0551) (collectively the "Bond Ordinance"); an Eleventh Supplemental Bond Ordinance adopted on April 17, 2006 (Ordinance No. 06-O-0552); and a Twelfth Supplemental Bond Ordinance adopted on February 18, 2008 (Ordinance No. 08-O-0216); and

**WHEREAS**, pursuant to the Eighth Supplemental Bond Ordinance, as amended by the Tenth Supplemental Bond Ordinance and the Twelfth Supplemental Bond Ordinance, the City previously issued various series of bonds including its Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2004K-1 (the "Series 2004K-1 Bonds") and Series 2004K-2 (the "Series 2004K-2 Bonds" and together with the Series 2004K-1 Bonds, collectively, the "Series 2004K Bonds"), for the purpose of providing funds to finance or refinance a portion of the costs of the planning, engineering, design, acquisition and construction of (i) other airfield projects, (ii) the South Terminal, including site preparation, (iii) certain portions of the Maynard H. Jackson, Jr. International Terminal and associated access, roadway and parking projects, (iv) additions and improvements to the existing central passenger terminal complex, including terminal roadways, and (v) an automated people mover system and airport access roadways in order to serve the Airport by providing airport users access to the Airport's proposed consolidated rental car facility (the "2004F-K Project"), including capitalized interest during the period of construction of the 2004F-K Project and capitalized interest to pay interest on certain prior bonds, to provide for a reasonably required debt service reserve and to pay expenses necessary to accomplish the foregoing; and

**WHEREAS**, pursuant to the Twelfth Supplemental Bond Ordinance adopted on February 18, 2008 (Ordinance No. 08-O-0216), the City determined that current market conditions made it financially feasible and in the best interest of the City and the Airport to redeem the Series 2004K-3 bonds in the amount of \$89,400,000 and the Series 2004K-4 bonds in the amount of \$44,400,000; and

**WHEREAS**, pursuant to Section 306 of the Master Bond Ordinance the City may in its discretion redeem the Bonds of any series and the City has determined that continued market conditions make it financially feasible and in the best interest of the City and the Airport to utilize available Passenger Facility Charge Revenues to exercise optional redemptions for the Series 2004K-1 bonds in the amount of \$89,350,000 and the Series 2004K-2 in the amount of \$89,350,000; and

**WHEREAS**, the Airport currently has sufficient Passenger Facility Charge Revenues available to redeem the Series 2004K-1 and Series 2004K-2 bonds.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That the Chief Financial Officer be authorized to amend the fiscal year 2008 budget on behalf of the Department of Aviation for \$178,700,000, as follows:

**TRANSFER FROM APPROPRIATIONS**

5505.200101.5999901.1512000.000000.000000.0000.00000000.00000000  
Airport Passenger Facility Charge Fund – Reserve for Appropriation \$178,700,000  
(2H26/791001/T11001)

**TRANSFER TO APPROPRIATIONS**

5505.200817.5999902.8000000.000000.000000.0000.00000000.00000000  
Operating Transfer to 2H53 – Airport Sinking Fund \$178,700,000  
(2H26/762016/T65016)

**SECTION 2:** That said available Passenger Facility Charge revenues of \$178,700,000 be transferred to the Airport Sinking Fund to pay for debt service for the Series 2004K-1 and Series 2004K-2 bonds as follows:

**ADD TO ANTICIPATIONS**

5513.000002.3912025.0000000.000000.000000.0000.00000000.00000000  
Operating Transfer from 2H26 – Airport Passenger Facility Charge Fund \$178,700,000  
(2H53/692415/B00001)

**ADD TO APPROPRIATIONS**

5513.200817.5811001.8000000.000000.0000.0000.00000000.00000000  
Principal Due, Series 2004K-1, 2004K-2 \$178,700,000  
(2H53/782007/T65016)

**SECTION 3:** That the Series 2004K-1 Bonds and the Series 2004K-2 Bonds be redeemed on the earliest practical dates.

**SECTION 4:** Any and all ordinances or resolutions or parts of ordinances or resolutions, in conflict with this Ordinance are to the extent of such conflict hereby waived, and this Ordinance shall be in full force and effect from date of its adoption.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/ Executive Committee

**Caption:** AN ORDINANCE TO PROVIDE FOR THE USE OF PASSENGER FACILITY CHARGE REVENUES TO FUND THE OPTIONAL REDEMPTION OF THE SERIES 2004K-1 AND SERIES 2004K-2 BONDS; AND FOR OTHER PURPOSES.

**Council Meeting Date:** April 21, 2008

**Requesting Dept.:** Department of Finance

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to provide for the use of Passenger Facility Charge revenues to fund the optional redemptions of the Series 2004K-1 and Series 2004K-2 bonds; and for other purposes.

**2. Please provide background information regarding this legislation.**

The City of Atlanta has issued Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds Series 2004K-1 and Series 2004K-2 pursuant to the Eighth Supplemental Bond Ordinance, as amended by the Tenth and Twelfth Supplemental Bond Ordinances. Pursuant to Section 306 of the Master Bond Ordinance the City may in its discretion redeem the Bonds of any series and the City has determined that continued market conditions make it financially feasible to exercise optional redemptions for the Series 2004K-1 bonds of \$89,350,000 and the Series 2004K-2 bonds of \$89,350,000.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

**4. Fund Account Center:** 5505.200101.5999901.1512000.000000.00000.0000.00000000.00000000  
(2H26/791001/T11001): Passenger Facility Charge Fund - Reserve for Appropriation

**5. Source of Funds:** Passenger Facility Charge Fund - Reserve for Appropriation

**6. Fiscal Impact:** Transfer of Reserves totaling \$178,700,000

**7. Method of Cost Recovery:** N/A

**This Legislative Request Form Was Prepared By:** Maria Runnels

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: March 19, 2008

Anticipated Committee Meeting Date(s): April 1-2, 2008

Anticipated Full Council Date: April 21, 2008

Legislative Counsel's Signature: 

Commissioner Signature:  3/19/08 

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE TO PROVIDE FOR THE USE OF PASSENGER FACILITY CHARGE REVENUES TO FUND THE OPTIONAL REDEMPTION OF THE SERIES 2004K-1 AND SERIES 2004K-2 BONDS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$178,700,000

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_

(date)

(date)

Received by Mayor's Office: 3.19.08  Reviewed by: 

(date)

(date)

Submitted to Council: \_\_\_\_\_

(date)